

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 205

CRM-M-50679-2021

Date of decision : 20.05.2022

Satinder Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.R.K.Girdhar, Advocate, for the petitioner.

Ms.Gunkirat Kaur, AAG, Punjab.

Mr.Gurpal Singh, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.0105 dated 12.10.2021 registered under Section 376 IPC at Police Station Bariwala, District Sri Muktsar Sahib.

On 21.01.2022 this Court had passed the following order: -

“CRM-M-50679-2021

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.0105 dated 12.10.2021 under Section 376 IPC registered at Police Station Bariwala, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that a perusal of the allegations levelled in the FIR in question leaves no manner of doubt that the prosecutrix had been in a consensual relationship with the petitioner, who is a serving Army Personnel, for as long as three years. Learned counsel submits that in fact the relations between the petitioner and the prosecutrix turned sour on account of a money dispute as the latter had taken a sum of Rs.1,50,000/- from the petitioner. He submits that when the petitioner demanded back the money from the prosecutrix she threatened him with implication in a false case and the case in question was as a consequence of the aforementioned threats extended to him. Learned counsel submits that the prosecutrix had also been withdrawing money from the petitioners' bank account which found due reflection in the bank transactions of the petitioner's account.

On the last date of hearing learned counsel for the petitioner had sought an adjournment to place on record a copy of the complaint which had been made by the petitioner to the Army Authorities as well as his bank with regard to the prosecutrix and her family members fraudulently withdrawing money from the petitioner's account.

Learned counsel by way of CRM-44344-2021 has placed on record the said complaint addressed to the I.G., Faridkot (Annexure P-2) dated 03.08.2021. He undertakes to supply a copy of the same to the counsel opposite

In the circumstances, the petitioner is directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.

Adjourned to 20.05.2022.

The State shall also apprise this Court on the next date of hearing as to what action has been taken by the police on complaint (Annexure P-2). ”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

In the light of the reasons stated in the afore quoted order as also the statement made on behalf of the State, the order of this Court dated 21.01.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

20.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No